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Notice of Allowability

Application No.

09/848,572

Examiner

Ronald Laneau

Applicant(s)

BATES ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/13/06.
2. ☒ The allowed claim(s) is/are 1-8, 10, 12-16, 20-21, 25-29 and 42-46 now renumbered as 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gero G. McClellan on 4/26/06.

The application has been amended as follows:

In claim 1, line 6, delete "if" and insert --upon determining--

In claim 25, line 11, delete "if" and insert --upon determining--

In claim 42, lines 6 and 12, delete "if" and insert --upon determining--

In claim 45, line 12, delete "if" and insert --upon determining--

Reasons for Allowance

2. Claims 1-8, 10, 12-16, 20-21, 25-29 and 42-46 are allowed and now renumbered as 1-26.

The present invention is directed to a system and method of operating a reservation control system for reserving items dispensed by vending machines networked to the reservation control system:

As per claims 1-8, 10, 12-16 and 20-21, upon determining the item is available, reserving the item to ensure availability of the item at the vending machine in satisfaction of the reservation request, wherein reserving the item comprises placing a hold on the item at the

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vending machine to prevent the item from being purchased by any person other than a person for whom the reservation request is made; receiving an authorized request at the vending machine to dispense the item reserved for the person for whom the reservation was made; and in response to receiving the request to dispense the item, calculating a service charge for the item according to a length of time for which the item was reserved.

As per claims 25-29, upon determining the item is available, reserves the item to ensure availability of the item at the vending machine in satisfaction of the reservation request, wherein reserving the item comprises placing a hold on the item at the vending machine to prevent the item from being purchased by any person other than a person for whom the reservation request is made; and upon receiving an authorized request at the vending machine to dispense the item reserved for the person for whom the reservation request was made, calculates a service charge for the item according to a length of time for which the item was reserved.

As per claims 42-44, upon determining the item is available at the first vending machine, reserving the item to ensure availability of the item at the vending machine in satisfaction of the reservation request, wherein reserving the item comprises placing a hold on the item at the vending machine to prevent the item from being purchased by any person other than a person for whom the reservation request is made; receiving a request to input to a second vending machine to dispense the item, wherein the second vending machine is different from the first vending machine; and upon determining the item is available at the second vending machine, calculating a service charge for the item according to a length of time for which the item was reserved.

As per claims 45 and 46, upon determining the item is available, reserving the item to ensure availability of the item at the vending machine in satisfaction of the reservation request,

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wherein reserving the item comprises placing a hold on the item at the vending machine to prevent the item from being purchased by any person other than a person for whom the reservation request is made; calculating a maximum hold duration for which the item will be reserved, and after which the reservation of the item expires; and upon detecting expiration of the maximum hold duration, charging a penalty fee to the person for whom the reservation was made if the item had not yet been retrieved when the maximum hold duration expires.

The closest prior art, Tedesco et al (US 6,085,888) disclose a method and apparatus for registering a subscription to purchase a plurality of items dispensed by a vending machine. The method includes the steps of receiving, by the apparatus, a request to redeem an item that is associated with a subscription and a subscription code corresponding to the item. Tedesco et al fail to disclose the above claimed limitations.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is 703-305-3973. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:00 PM or via email: ronald.laneau@uspto.gov.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached at 703-305-4709.

4. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

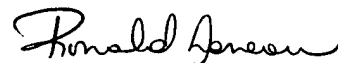
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Ronald Laneau
Examiner
Art Unit 2674

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May 11, 20066